

FILE COPY

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :	
PROCEEDINGS AGAINST :	
JEFFREY M. MASON, DC. :	FINAL DECISION AND ORDER
RESPONDENT :	96 CHI 015/ 96 CHI 039
	LS9709181CHI

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Jeffrey M. Mason, DC
503 Vine Street
Hudson, WI 54016

Chiropractic Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jeffrey M. Mason (D.O.B. 01/25/58) is duly licensed in the state of Wisconsin as a chiropractor (license #2256). This license was first granted on July 27, 1987.

2. Dr. Mason's latest address on file with the Department of Regulation and Licensing is 503 Vine Street, Hudson, WI 54016.

3. Beginning at least in February, 1996, and continuing on through August 21, 1997, Dr. Mason placed a series of advertisements for his chiropractic practice identifying himself as "brainstem specialist," identifying a various specified diseases and conditions as caused by injury to the brain stem, and citing a percentage rate of effectiveness for "our procedure." True and correct examples of this series of advertisements are attached to this document as Exhibit A.

4. The Chiropractic Examining Board views the advertisements referred to in ¶3, above as potentially deceptive and misleading; Dr. Mason contends that he placed advertisements referred to above in good faith.

5.. In resolution of this matter, Dr. Mason consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Examining Board has jurisdiction over this matter, pursuant to sec. 446.02, Stats.

2. The Wisconsin Chiropractic Examining Board is authorized to enter into the attached stipulation, pursuant to secs. 227.44(5) and 446.03, Stats.

3. The advertisements referred to above constitute a basis for disciplinary action against Respondent's license to practice as a chiropractor in the state of Wisconsin, pursuant to sec. 446.03(5), Stats., and Wis. Admin. Code § Chir 6.02(15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jeffrey M. Mason (license #2256) is REPRIMANDED.

2. Until otherwise ordered by the Board, Dr. Mason shall CEASE AND DESIST from the following practices:

a. Advertising or otherwise referring to himself or any member of his staff as a brain stem specialist;

b. Advertising that an identified disease or condition is caused by brain stem injury, unless the basis for any such claim(s) is approved in advance by the Board; and

c. Advertising effectiveness or cure rates for specified conditions, unless the basis for any such claim(s) is approved in advance by the Board.

Department monitor

3. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all requests and petitions. The Department Monitor may be reached as follows:

Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-7139

Denial in whole or in part of a petition under this Order shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

SUMMARY SUSPENSION

4. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

EFFECTIVE DATE OF ORDER

This Order shall become effective upon the date of its signing.

CHIROPRACTIC EXAMINING BOARD

By: Terry K. Chittag, D.C.
On behalf of the Board

9-18-97
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST :

JEFFREY M. MASON, DC
RESPONDENT

STIPULATION
96 CHI 015/ 96 CHI 039

It is hereby stipulated between Jeffrey M. Mason, personally on his own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Dr. Mason's licensure by the Division of Enforcement (96 CHI 015/ 96 CHI 039). Dr. Mason consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint

2. Dr. Mason understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Dr. Mason is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Dr. Mason agrees to the adoption of the attached Final Decision and Order by the Chiropractic Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

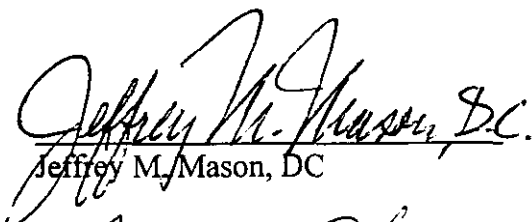
6. Attached to this Stipulation is the current licensure card of Jeffrey M. Mason. If the Board accepts the Stipulation, Dr. Mason's license shall be reissued only in

accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the license of Dr. Mason shall be returned to him with a notice of the Board's decision not to accept the Stipulation.


7. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

8. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Chiropractic Examining Board assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

9. The Division of Enforcement joins Dr. Mason in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.


Jeffrey M. Mason, DC

8-28-97
Date


Steven M. Gloe, Attorney
Division of Enforcement

9.2.97
Date

Fibromyalgia

Do you have Fibromyalgia?
Have you been told what causes it?

If not - why not?

Many cases of Fibromyalgia are caused from injury to the brain-stem. This injury is many times painless and unnoticeable.

Research has shown our procedure to be 97.3% effective in getting rid of Fibromyalgia.

You need to see a brain-stem Specialist!
Call Dr. Jeffrey M. Mason at 246-9418 for a consultation.

DO IT NOW!!!!!!!

\$25 charge for 1st visit.
(Expires - 1 week)

17

ASTHMA

Do you have Asthma?

Have you been told what causes it?

If not - why not?

Many cases of asthma are caused from injury to the brain-stem. This injury is many times painless and unnoticeable, but can set up a condition known as asthma. If you have asthma you need to see a brain-stem specialist. Our procedure has been shown to be 92.6% effective.

Call Dr. Jeffrey M. Mason at 246-9418 for a consultation today!

\$25 charge for 1st visit.

Expires one week.

18NO

DYSMENORRHEA (PMS)

Have you been told you have Dysmenorrhea or PMS?

Have you been told what causes it?

If not - why not?

Many cases of Dysmenorrhea are caused from injury to the brain-stem. This injury is many times painless and unnoticeable. Research has shown our procedure to be 93.3% effective. You need to see a brain-stem specialist!

Call Dr. Jeffrey M. Mason at 246-9418, for your consultation TODAY!

\$25 charge for 1st visit.
expires 1 week.

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EPILEPSY

Do you have Epilepsy?

Have you been told what causes it?

If not - why not??

Many cases of Epilepsy are caused from an injury to the brain-stem. This injury is many times painless and unnoticeable. Research has shown our procedure to be 90.4% effective. You need to see a Brain-Stem Specialist!!

Please call Dr. Jeffrey M. Mason at 246-9418, for your consultation - TODAY!!!!

\$25 charge for 1st visit.

Expires one week.

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ULCERATIVE COLITIS Presentation of the Cause

Please call Dr. Jeffrey Mason today for an appointment.

246-9418

Do it now!

\$25 charge for 1st visit
Expires Nov. 26, 1995

15

Migraine Headaches

Do You Have Migraine Headaches? Have You Ever Been Told What Causes Them?

If Not - Why Not?

Drugs just mask the symptoms while the problem continues to grow. Did you know that many migraine headaches are caused from injury to the brain stem. This injury is many times painless and unnoticeable. Research has shown our procedure to be 94.7% effective.

You need to see a Brain Stem Specialist

Call Dr. Jeffrey Mason today for consultation

246-9418

\$25 charge for 1st visit
Expires one week

20

BEDWETTING

Does your child wet the bed?

Have you found a solution?

If not - why not?

It is more likely the problem is with the control center of the body. Many cases of bedwetting are caused when the brain stem no longer can control the bladder. Research has shown our procedure to be 94.3% effective. Your child needs to be examined by a brain stem specialist today.

Call Dr. Jeffrey M. Mason today for an appt.

246-9418

\$25 charge for 1st visit.

Expires one week.

22

Menieres' Disease

Have you been told you have Menieres' Disease?

Have you been told what causes it?

If not - why not?

Many cases of Menieres' disease are caused from injury to the brain-stem. This injury is many times painless and unnoticeable. Research has shown our procedure to be 92% effective in getting rid of Menieres' Disease.

You need to see a brain-stem Specialist!
Call Dr. Jeffrey M. Mason, today at

246-9418

for a consultation.

\$25 charge for 1st visit
Expires one week

23

DEAFNESS

Are you deaf?

Have you been told what causes it?

If not - why not?

Many cases of deafness are caused from injury to the brain-stem. This injury is many times painless and unnoticeable. Research has shown our procedure to be 89.6% effective. If you have deafness - you need to see a brain-stem specialist.

Call Dr. Jeffrey M. Mason at 246-9418 for your consultation today!

DO IT NOW!!!!

\$25 charge for 1st visit.

Expires one week

21

ALLERGIES

If you have allergies - I'm sure you have wondered why.

Was it because you weren't born with a certain gland that makes the current potion that you are now taking? Which, by the way, hasn't solved your problem.

For every effect there must be a cause. Once you correct the cause, the effect will disappear. It's as simple as that!

Specific chiropractic seeks the cause of allergies. Research has shown specific chiropractic to practically eradicate allergies.

For a free consultation, please call Dr. Jeffrey Mason at 246-9418 today.

10-11A2

HIATAL HERNIA

If you have a Hiatal Hernia the upper part of your stomach protrudes into the chest cavity through a weakness in the hiatus (opening) in your diaphragm.

But why is there a weakness?

Hiatal Hernia is a direct nerve associated condition. If you or someone in your family have this problem you need to contact Dr. Jeffrey Mason for a free consultation and to learn how you can get rid of your Hiatal Hernia.

For a free consultation, please call Dr. Jeffrey Mason at 246-9418 today.

Do it now!

10-11A2

Excerpt

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE CHIROPRACTIC EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

Jeffrey M. Mason, DC,

AFFIDAVIT OF MAILING

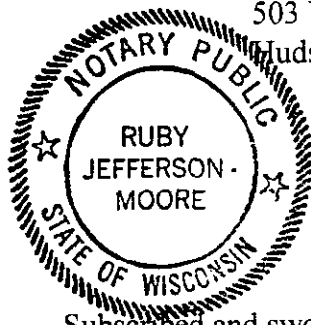
Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On September 23, 1997, I served the Final Decision and Order dated September 18, 1997, LS9709181CHI, upon the Respondent Jeffrey M. Mason, DC by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 158 177.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Jeffrey M. Mason, DC
503 Vine Street
Hudson WI 54016



Subscribed and sworn to before me

this 23rd day of September 1997.

Ruby Jefferson-Moore
Notary Public, State of Wisconsin

My commission is permanent.

Kate Rotenberg
Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN CHIROPRACTIC EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

September 23, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)